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4                   UNITED STATES DISTRICT COURT  
5                   WESTERN DISTRICT OF WASHINGTON  
6                   AT TACOMA

7                   EDWARD JOSEPH NELSON,

8                   Plaintiff,

9                   v.

10                  DAN PACHOLKE, PAT GLEBE, RON  
11                  FRAKER, WILLIAM ROLLINS, S.  
12                  OBENLAND, KATHY RENINGER,  
13                  PRICE M. CHENAULT, J. DAVID  
14                  KENNEY, CRC COMMITTEE  
15                  STAFFORD CREEK MEDICAL,  
16                  CLIFFORD J. JOHNSON, SHARON  
17                  MORGAN, DAVE SIMS, M. HOLTHE,  
18                  CRC COMMITTEE CBCC, and  
19                  G. PRESSEL,

20                  Defendants.

21                  No. C12-5048 RBL/KLS

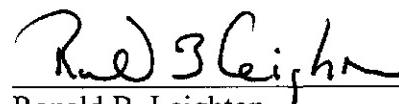
22                  **ORDER ADOPTING REPORT AND  
23                  RECOMMENDATION**

24                  The Court, having reviewed the Report and Recommendation of Magistrate Judge Karen  
25                  L. Strombom, objections to the Report and Recommendation, if any, and the remaining record,  
26                  does hereby find and **ORDER**:

- 27                  1)       The Court adopts the Report and Recommendation.
- 28                  2)       Defendants' motion to dismiss (ECF No. 40) is **DENIED**. Plaintiff may  
29                  amend his complaint to cure the deficiencies noted in the Court's Order.  
30                  shall file his amended complaint **on or before 8/31/12**.
- 31                  3)       This matter is **re-referred** to the Honorable Karen L. Strombom, United  
32                  States Magistrate Judge.

1           4) The Clerk is directed to send copies of this Order to Plaintiff, counsel for  
2           Defendant and to the Hon. Karen L. Strombom.

3           DATED this 16<sup>th</sup> day of August, 2012.

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5           Ronald B. Leighton  
6           United States District Court Judge